REMARKS

In the last Office Action prior to the filing of the Second Request for Continued Examination (RCE) concurrently herewith, the application contained claims 1-9 of which claim 1 was the sole independent claim.

In that Office Action, all of the claims were finally rejected as follows:

1. Claims 1-5 and 9 were rejected as obvious under 35 USC §103(a) over HAYASHI et al. (6,607,539) in view of LAU et al. (5,919,225), and further in view of GOICOECHEA et al. (6,165,213); and
2. Claims 6-8 were rejected as obvious under 35 USC §103(a) over HAYASHI et al. in view of LAU et al. and GOICOECHEA et al., and further in view of BARRY et al. (6,277,126).

Applicants wish to thank Examiner Sarah K. Webb for the courteous and productive interview with applicants' undersigned counsel at the Patent and Trademark Office on July 14, 2005.

As discussed during the interview, the present invention is directed to a self expanding stent having anchor members 52 adjacent its ends, and the stent is on a core wire 14 positioned in a gap 42 between cylindrical members 16, 18. In the present invention, the improvement is in the retaining rings 19 and 21 which extend around the stent at the anchor members so as to compress the stent and the anchor members into gap 42 to retain the stent on the core wire 14. Because of the presence of the retaining rings at the locking members, it is possible in the present invention to selectively release the distal anchor members 52 as shown in FIG. 5, by releasing the distal retaining ring 21. If it is discovered that the stent has been deployed in an incorrect location, the distal anchor members can be retracted simply by movement of the outer catheter 3 back over the deployed distal anchor members to retract them into their original non-deployed position in the catheter 3. This permits the stent to be repositioned to the correct position. This is possible because the proximal anchor members 52 have been retained in the gap just to the right of the tubular member 16 by its retaining ring 19 which has not yet been released. Thus, the proximal anchor members 52 continue to hold the stent in place and prevent it from movement during the retraction and repositioning procedure.

When repositioned, the catheter 3 is again withdrawn in the proximal direction so that the distal anchor members 52 again redeploy as shown in FIG. 5.

When the stent has finally been deployed in its desired location in the vessel 58, the proximal retaining ring 19 is released as shown in FIG. 6 to permit the stent to fully expand and the catheter, released retaining rings 19 and 21 and core wire are removed as shown in FIG. 7.

HAYASHI et al. is directed to a retaining ring formed of a suture material on a self expanding stent in which the retaining ring is electrically melted when the stent is to be expanded. However, HAYASHI et al. fails to disclose or suggest any anchor members on the stent, any retaining rings at such anchor members, any gap between which anchor members are located, or any proximal or distal cylinder members for holding the stent in place during positioning. Moreover, HAYASHI et al. contains no disclosure or suggestion of the ability to move a stent after it has once been partly deployed.

LAU et al. also discloses a self expanding stent. In LAU et al. proximal and distal barriers 320, 322 are shown in FIGS. 19A-19C between which the stent is positioned. The stent is released by a longitudinally extending slip line 306. LAU et al. also fails to disclose or suggest any anchor members on the stent, any retaining rings at anchor members much less around the stent, or the ability to move the stent after it has once been partially deployed.

GOICOECHEA et al. simply discloses a stent with radiographic indicia 17 on the stent. However, GOICOECHEA et al. fails to disclose or suggest that the radiographic indicia constitutes an anchor member, or that any retaining ring or rings are present much less around the stent or at the indicia 17. Moreover, GOICOECHEA et al. contains no disclosure or suggestion that the stent may be repositioned after it has once been partially deployed.

Finally, BARRY et al. simply discloses a hot melt polymeric material on an embolic coil and not a stent.

Thus, even when all of this prior art has been combined, no stent assembly results which includes any form of anchor member whatsoever, any retaining ring around the stent at the anchor member, or any retaining rings which retain anchor members on a stent in a gap. Moreover, none

of the prior art relied upon in the rejection of the claims discloses or suggests any ability to retract the stent once it has been partially deployed and relocate it as in the present invention.

During the interview, applicants' counsel offered to amend claim 1 as set forth herein to clearly bring out these features of the present invention which are not disclosed by any of the cited prior art and which are not present in the stent assembly which results when such prior art is combined. In view of this, the Examiner indicated at the close of the interview that it was her belief that claim 1 as so amended herein would be allowable.

For the above reasons, it is respectfully submitted that all of the claims remaining in the present application, claims 1-9, are in condition for allowance. Accordingly, favorable reconsideration and allowance are requested.

Respectfully submitted,

Dated: 7/21/05 By: _____

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